

**CITY OF FRANKFORT
CODE ENFORCEMENT BOARD MEETING
NOVEMBER 28, 2006
MINUTES**

Members Present:

Mr. David Garnett
Mrs. Rona Stapleton
Ms. Vicki Pettus
Ms. Natalie Wilkerson

Members Absent:

Mr. Mark Fields

There being a quorum, Mr. David Garnett called the November 28, 2006 Code Enforcement Board meeting to order.

The next item of business was approval of the Minutes of the meeting of October 24, 2006. Ms. Wilkerson made a motion to accept the minutes as submitted. Mrs. Stapleton seconded the motion. The motion passed unanimously 4-0.

DEFAULT CASES:

- Case # 1 233 East Second Street
Owners: Dorothy Wilson Estate, c/o Anita Harris
PMC Section: 306.1 Accumulation of Rubbish or Garbage.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.
- Case # 2 206 East Todd Street
Owner: Cathy Gayhart
PMC Sections: 306.1 Accumulation of Rubbish or Garbage; 304.7 Roofs and Drainage; 304.6 Exterior Walls.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.

- Case # 3 500 Clifton Avenue
Owners: Mary Frances Renfro et al
PMC Sections: 302.9 Storage of Trailers.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.
- Case # 4 721 Cline Street
Owners: Troy & Angela Gilbert
PMC Sections: 302.10 Motor Vehicles; 302.10.1 Junk Vehicles
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.
- Case # 5 215 Noel Avenue (Third Offense)
Owner: Linda K. Downey
PMC Sections: 302.11 Public Nuisance; 302.10 Motor Vehicles; 302.10.1
Junk Vehicles; 106.4.1 (d) Failure to adhere to a CEB order.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.
- Case # 7 804 First Avenue (Second Offense)
Owner: June Joseph
PMC Sections: 304.14 Window, Skylight, and Door Frames; 106.4.1 (d)
Failure to adhere to a CEB order.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.
- Case # 9 305 Sequoyah Trail
Owners: RCJ Enterprises
PMC Section: 306.1 Accumulation of Rubbish or Garbage.
Fine: \$200.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.
- Case # 10 875-877 Ridgeview Drive (Second Offense)
Owners: Hack Builders
PMC Sections: 301.3 Vacant Structures and Land; 302.10 Motor Vehicles;
302.4 Weeds; 302.11 Public Nuisance; 106.4.1 (d) Failure to adhere to a
CEB order.
Fine: \$500.00 and correct within thirty (30) days of the final order.
Ms. Pettus made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.

APPEALS:

The following list of names is the persons giving testimony at this meeting and sworn in by Mrs. Edith Noe, the Code Enforcement Board Secretary for the City of Frankfort:

Jo A. Morgan, Code Enforcement Inspector
John Noe, Code Enforcement Inspector
Jeff Hackbart, Director of Public Works
Mr. Talson, son of the property owner of 200 Swigert Ave.
Brady Vassalo, property owner of 430 Holmes Street
Harold Boggs, property owner of 287 Plainview Avenue
Christina Benson, property owner of 1312 Arroyo Drive
Scott Wilcoxson, property owner of 353 Wallace Avenue
A.F. Humphries, property owner of 301 Shelby Street
Rhonda Faye, repair person for Mr. Humphries / 301 Shelby Street
Robbie Goins, property owner of 405 Owenton Avenue and 320-322 Holmes Street
Howard Hensley, re: 320-322 Holmes Street
David McAtee (brother in law) of Fred O'Bannon, owner of 219 Wallace Avenue

Case # 1 200 Swigert Avenue (Tabled from the October Meeting)
Owner: Frances Talson
PMC Section: 302.7 Accessory Structures
Fine: Probate the \$200.00 fine and rebuild the wall within 120 days.
Mrs. Stapleton made the motion and Ms. Wilkerson seconded the motion.
The motion passed unanimously 4-0.

Ms. Pettus made the motion to remove this item from the table and Mrs. Stapleton seconded the motion. The motion passed unanimously 4-0.

Testimony was heard on this case at the last meeting when the city provided a report, a representative of the property owner was present, the Board tabled this to ask someone from the city to come and explain and give information concerning the status of the drain as opposed to the retaining wall.

Mr. Hackbart stated that in 2005, the city meet with Mr. Talson concerning the drainage from Swigert Avenue coming across the pull-off in front the house running over the retaining wall that was partially built causing erosion. The city installed some catch basins located on Swigert Avenue to catch the water and drain it around the corner and the pipe would outlet in the grass ditch that runs beside the house. Mr. Hackbart stated Mr. Talson could finish constructing the retaining wall without the water running over it. Mr. Hackbart presented current photos of the site showing the catch basins and the pipe. Mr. Hackbart further stated the pipe appeared to be on the right of way.

Case # 2 430 Holmes Street
Owner: Brady Vassalo
PMC Section: 306.1 Accumulation of Rubbish or Garbage.
The violation had been corrected and the \$200.00 fine probated in its entirety.
Ms. Wilkerson made the motion and Ms.Pettus seconded the motion. The motion passed 4-0.

Ms. Morgan gave testimony for the city. Ms. Morgan stated at her last visit the rubbish was gone from the property. Mr. Logan moved to enter the documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Vassalo said the rubbish was a tree branch and has since been cleaned up. Mr. Vassalo said he would like the definition of rubbish.

Case # 3 287 Plainview Avenue
Owner: Harold Boggs
PMC Section: 302.9 Storage of Trailers
The violation had been corrected and the Board dismissed the citation against Mr. Boggs.
Mr. Garnett made the motion and Mrs.Stapleton seconded the motion. The motion passed 3-1. Ms. Pettus voted against.

Mr. Noe gave testimony for the city stating at the time the citation was issued; the boat/trailer was in violation. Mr. Noe stated at his last visit the boat/trailer had been moved. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Boggs testified the boat/trailer had been moved and he was now in-compliance with the city ordinance. Mr. Boggs stated he did not receive a notice of violation and further explained his address was Plainview Avenue instead of Plainview Drive.

The first motion made by Ms. Wilkerson failed 2-0. Ms. Pettus and Mr. Garnett voted against.

Case # 4 1312 Arroyo Drive
Owner: Christina Benson
PMC Section: 302.12 Portable Storage Units
The violation had been corrected and the Board probated the \$200.00 fine.
Ms. Pettus made the motion and Mrs.Stapleton seconded the motion. The motion passed 4-0.

Ms. Morgan gave testimony for the city stating at the time the citation was issued; the POD was in violation. Ms. Morgan stated at her last visit the POD had been moved. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Ms. Benson testified the POD had been removed.

Ms. Wilkerson recused herself from Case # 5 re: 353 Wallace Ave.

Case # 5 353 Wallace Avenue
Owner: Scott Wilcoxson
PMC Section: 304.14 Window, Skylight, and Door Frames.
The violation had been corrected and the Board probated the \$200.00 fine.
Mrs. Stapleton made the motion and Ms.Pettus seconded the motion. The motion passed 3-0.

Mr. Noe gave testimony for the city stating at the time the citation was issued, the broken windows were in violation. Mr. Noe stated at his last visit the window had been repaired. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Wilcoxson testified the windows had been repaired. Mr. Wilcoxson further stated he did not receive any notice of this violation.

Case # 7 301 Shelby Street (Second Offense)
Owner: Judith Humphries Estate c/o A. F. Humphries
PMC Section: 304.6 exterior Walls; 304.2 Exterior Painting.
Fine: \$500.00 and correct within sixty (60) days of the final order in this matter. Mrs. Stapleton made the motion and Ms.Pettus seconded the motion. The motion passed 4-0.

Ms. Morgan gave testimony for the city stating at the time the citation was issued, the exterior walls needed repair and painted. Ms. Morgan stated at her last visit the violations continued to exist. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Humphries testified some work had been done toward the repairs. Ms. Faye explained to the Board which wood panels had been replaced.

Case # 8 405 Owenton Avenue
Owner: Robbie Goins
PMC Section: 306.1 Accumulation of Rubbish or Garbage; 304.2 Exterior Painting; 304.5 Foundation Walls.
Fine: \$200.00 and correct within sixty (60) days of the final order in this matter. Mrs. Stapleton made the motion and Ms.Pettus seconded the motion. The motion passed 4-0.

Ms. Morgan gave testimony for the city stating at the time the citation was issued, there were problems with rubbish, foundation walls and painting. Ms. Morgan stated at her last visit the violations continued to exist. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Goins testified some work had been done on this house but not completed. Mr. Goins stated he bought this house from Mr. Damron and the tenants were already there.

Case # 9 320-322 Holmes Street
Owner: Robbie Goins
PMC Section: 304.14 Window, Skylight, and Door Frames.
Fine: \$500.00 and correct within thirty (30) days of the final order in this matter. Mr. Garnett made the motion and Mrs.Stapleton seconded the motion. The motion passed 4-0.

Mr. Noe gave testimony for the city stating at the time the citation was issued, there were problems with broken windows. Mr. Noe stated at his last visit the violations continued to exist. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Goins testified he had cleaned up this property and replaced thirteen windows. Mr. Goins further stated the window that he was cited for was the one that did not get replaced.

Case # 10 219 Wallace Avenue
Owner: Fred O'Bannon
PMC Sections: 302.10.1 Junk Vehicles 302.8 Storage of household appliances or non-out door furniture.
Tabled until the January regular meeting. Mr. Garnett made the motion and Mrs.Stapleton seconded the motion. The motion passed 4-0.

Mr. Noe gave testimony for the city stating the appliance had been remove. Bur the RV was still there. Mr. Logan moved to enter the packet documents, citation, and photos as evidence in lieu of additional testimony.

Mr. Mcatee explained the Mr. Fred O'Bannon had passed away on October 31, 2006 and his estate has not been settled.

Under Old Business:
None

Under New Business:
1. Citizen's Comments

The next meeting is scheduled for January 23, 2007 at 5:00 p.m.
RESCHEDULED –January 30, 2007

With there being no further business, the November 28, 2006 Code Enforcement Board was adjourned.

ATTESTED: SECRETARY

CHAIRMAN

